IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

CRP.No. 543 of 2007()

AGAINST THE ORDER DATED 30/03/2007 IN IA.630/07 IN OS.154/2000 of MUNSIFF COURT, MANJERI

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PETITIONER/4TH DEFENDANT:

N.FAISAL, S/O.ABDUL AZIZ,
NAMIADATH HOUSE, PAZHAYACHANTHAKUNNU,
WANDOOR P.O.

BY ADV. SRI.M.A.ABDUL HAKHIM
SRI.JYOTHISH.J.KALLINGAL

RESPONDENTS: PLAINTIFFS:

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1. KADEEJA,
W/O.LATE NEELAMBRA ABDURAHIMAN HAJI,
PANTHAKKALAKATH, SUBAIDA MANZIL,
T.B.ROAD, WANDOOR P.O.

2. PATHUTHARA AMINA,
W/O.CHOLAKKAL ABDURAHIMAN,
CHOLAKKAL HOUSE, WANDOOR P.O.

BY

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN,J

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C.R.P.No.543 of 2007

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Dated this the 14th day of June, 2007

ORDER

This revision is preferred against the order of the Munsiff, Manjeri, in O.S.No.154/2000. The revision petitioner filed two applications. One to receive witness list and the other to issue summons to witness. The revision petitioner requested that Sri. Abdul Majeed, S/o.Muhammed, Secretary, Noor Masjid Mahal Committee be directed to produce the minutes book, marriage register, current bill receipts etc. The learned Munsiff had found that the very same person whom now the party want to summon as a witness filed two applications to implead him as supplemental 9th defendant as the secretary of the Mahal Committee. On consideration of the averments the I.A's are dismissed. Now the attempt of the petitioner is to direct him to produce documents as if he is the secretary of the Mahal Committee. When the very same court has not entertained the application to implead him as 9th defendant in the status of secretary, it may not be correct for this Court to direct the very same court to issue summons to that person as secretary to

produce the documents. Therefore, the order passed by the learned Munsiff does not suffer from any infirmity. The Munsiff has also observed that the witness list will be received subject to the condition that the witness shall not be permitted to adduce evidence on the alleged capacity as the secretary of the Masjid Noor Mahal Committee. The order does not suffer from any infirmity and therefore the Civil Revision Petition is dismissed.

M.N.KRISHNAN,JUDGE

dvs